

# EXHIBIT G

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21 name of it I don't know.

22 Q Okay. Is that information that you 67

1 might be able to find and give to your attorneys?

2 A I don't even know where to look for it.

3 Q Okay.

4 MR. MALLAHAN: After the depo, if you  
5 want to write me a letter, I will make every  
6 effort to obtain every physician that she went  
7 to for treatment.

8 MS. WORLEY: All right. We will do it  
9 that way, then.

10 MR. MALLAHAN: I mean, if you want to  
11 ask her -- I don't know which one she knows  
12 and which ones she doesn't. I'm just trying  
13 to help out.

14 MS. WORLEY: Okay.

15 BY MS. WORLEY:

16 Q Do you know where you went for your  
17 physical therapy?

18 A The office is also closed. But in  
19 Pikesville, so...

20 Q Okay. Do you remember what the name of  
21 your physical therapist was?

22 A No, I never asked. 68

1 Q Okay. Okay. This may seem like an odd  
2 request, but would you mind if I took a picture of  
3 your scar and attach it as an exhibit to the  
4 deposition?

5 A It's okay.

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6 Q I forgot my digital camera so I'm going  
7 to have to do it on my phone.

8 MS. WORLEY: We can go off the record  
9 while I do this.

10 (Discussion held off the record.)

11 BY MS. WORLEY:

12 Q After a short break, are you ready to  
13 continue?

14 A Yes.

15 Q After the accident, did you discuss  
16 filing a lawsuit with your sons?

17 A Of course we talked about it. It's a  
18 family.

19 Q How soon after the accident did you  
20 discuss potentially filing a lawsuit with your  
21 sons?

22 A After the accident, after I came home.  
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1 Q After you came home from the hospital?

2 A Yes.

3 Q Okay. And do you remember how long  
4 after the accident that would have been?

5 A About a week.

6 Q Okay. About how long after that was it  
7 that you first contacted an attorney?

8 MS. SAMUELS: Objection. You can  
9 answer.

10 A My oldest son took care of it, he found  
11 the lawyer. He just -- the oldest son takes care  
12 of me. And my youngest son.

13 Q Do you know when it was that your --  
14 your oldest son, Vladimir, do you know when it was  
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15 that Vladimir contacted an attorney?

16 A It was very soon after the accident.

17 Q Within a month?

18 A Less than that.

19 Q Okay. Who was it that your son  
20 contacted, if you recall?

21 A Poberesky.

22 Q Can you spell that?

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1 THE INTERPRETER: I will spell it for  
2 you. P-O-B-E-R-Z-H --

3 MR. HOPPER: No. E-V-S-K-Y.

4 THE INTERPRETER: S-K-Y.

5 MR. HOPPER: His first name is  
6 Alexander. He's in Pikesville as well. I  
7 don't think he's on Milford Mill, though.

8 THE INTERPRETER: Yes, yes.

9 Q Before today, have you ever met with Mr.  
10 Kuhlman?

11 A Yes.

12 Q When was that?

13 MR. HOPPER: I think she's confused. I  
14 think she's talking about me.

15 MR. KUHLMAN: She's confused. I'm Mr.  
16 Kuhlman.

17 THE WITNESS: Oh, I'm sorry. Never.  
18 Never.

19 THE INTERPRETER: Never, no.

20 MR. KUHLMAN: We haven't had the  
21 pleasure.

22 THE WITNESS: I'm so sorry.

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1 MS. WORLEY: You'll have to go to Kansas  
2 City.

3 Q Before today, have you ever met Mr.  
4 Hopper?

5 MR. KUHLMAN: It's been a long time.

6 A Yes. Not too many times.

7 Q Okay. Do you remember when the first  
8 time was that you met Mr. Hopper?

9 A I don't remember.

10 Q would it have been pretty soon after the  
11 accident?

12 A Yeah, I think so, yes.

13 Q Do you know when your sons first  
14 retained Mr. Kuhlman?

15 A You know, I don't know such details. I  
16 don't remember. My son was handling that.

17 Q would it have been around the same time  
18 that you met Mr. Hopper?

19 MS. SAMUELS: Objection. You can  
20 answer.

21 A Perhaps.

22 Q Okay. But you don't know for sure.

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1 A I cannot remember all the days  
2 precisely.

3 Q Okay. Do you remember if it would have  
4 been in 2007 or 2008?

5 A 2007.

6 MS. SAMUELS: Objection. You can  
7 answer.

8 A It was 2007.

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9 MR. KUHLMAN: Let me put on the record  
10 an objection to the form of the question. I  
11 don't know what you're asking, Katheryne, when  
12 she met with Mr. Hopper, when she thinks her  
13 sons may have met or talked to me. So I think  
14 it's unclear what exactly you are asking and  
15 what she was answering.

16 MS. WORLEY: I agree.

17 Q Are you saying that your sons retained  
18 Mr. Kuhlman in 2007?

19 MR. HOPPER: Him, not me.

20 MS. SAMUELS: Objection. You can  
21 answer.

22 MR. MALLAHAN: If you know.

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1 A I don't know whom he hired. I see this  
2 person for the first time in my life.

3 Q What is your understanding of the  
4 allegations being made against you in this lawsuit?

5 MS. SAMUELS: Objection. You can answer  
6 if you know.

7 A I think nothing.

8 Q Okay. Do you understand that you're a  
9 defendant in this lawsuit?

10 A I'm not a defendant in this case. I  
11 experience a heavy loss.

12 Q So is it your understanding that you are  
13 not a defendant in this lawsuit?

14 A I think I'm not. It did not happen on  
15 purpose. I've been driving for 18 years and  
16 nothing ever happened.

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17 Q Have your sons ever told you that you --  
18 that they were bringing this lawsuit against you?

19 THE INTERPRETER: Against her?

20 MS. WORLEY: Yes.

21 MR. MALLAHAN: Objection.

22 THE INTERPRETER: Can you repeat the  
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1 question?

2 Q Have your sons ever told you that they  
3 were bringing this lawsuit against you?

4 THE INTERPRETER: I don't understand the  
5 question. I'm sorry. The sons were suing  
6 her?

7 MS. WORLEY: Yes.

8 A Yes, I do understand.

9 THE INTERPRETER: I'm sorry, I didn't  
10 understand.

11 Q Okay. So they have told you, your sons  
12 have told you?

13 A Yes.

14 Q Knowing that, is it still your  
15 understanding that you're not a defendant in this  
16 lawsuit?

17 A My son knows it's not my fault.

18 MR. MALLAHAN: There's no question.

19 A This is a legal procedure the way I  
20 understand.

21 Q Okay. I guess I'm still a little  
22 confused as to whether or not you believe you are a  
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1 defendant in this lawsuit.

2 MS. SAMUELS: Is there a question or --  
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8 A No. He did not lean any way. He was  
9 buckled up with the belt. He couldn't even if he  
10 wanted to.

11 Q Was he ever reaching forward, messing  
12 with the radio while you were talking about  
13 possible future grandkids?

14 A No. We never use radio when we drive.

15 Q And did your husband always wear a seat  
16 belt ever since he became a full-time taxi driver?

17 A Always. My husband was driving since  
18 age of 15.

19 MR. KUHLMAN: Mrs. Averbukh, I have no  
20 further questions. Thank you.

21 MS. WORLEY: I have one follow-up.

22

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1 FURTHER EXAMINATION

2 BY MS. WORLEY:

3 Q I'm sorry, I forgot to ask you this  
4 earlier. Do you know whether or not you have ever  
5 retained Mr. Kuhlman to represent you?

6 THE INTERPRETER: I'm sorry?

7 Q Do you know whether or not you have ever  
8 retained Mr. Kuhlman to represent you as her  
9 lawyer?

10 MR. KUHLMAN: Me again.

11 A I don't know. I've never seen this  
12 person before. I know this person.

13 MR. MALLAHAN: Let the record reflect --

14 Q Okay. You know Mr. Hopper.

15 MR. MALLAHAN: I'm Kip Mallahan.



16 MS. WORLEY: 202362 rough  
Okay. That's all.

17 THE WITNESS: Thank you very much.

18 MR. KUHLMAN: While we're still on the  
19 record -- Jodi, do you have any other  
20 questions?

21 MS. OLEY: I do not.

22 MR. KUHLMAN: Marsha.

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1 MS. SAMUELS: No, I have no questions.

2 MR. KUHLMAN: Kip.

3 MR. MALLAHAN: I have none.

4 MR. KUHLMAN: Okay. Two things I want  
5 to put on the record, and this is not for Mrs.  
6 Averbukh. One was the -- Jodi, where are we  
7 on the extension of the deadlines?

8 MS. OLEY: Well, the only deadline that  
9 I thought we were extending was the one for  
10 the expert designation. Is that correct?

11 MR. KUHLMAN: Right. Correct. And  
12 where are we on that?

13 MS. OLEY: As far as I know, I thought  
14 we were only doing it informally. But if you  
15 want, we'll just file a motion with the court.

16 MR. KUHLMAN: Just a stipulation.

17 MS. OLEY: Okay.

18 MR. KUHLMAN: And then the second thing  
19 related to that was, I've sent everybody a  
20 couple of e-mails about the EDR download, and  
21 we kind of, before we get to the experts, need  
22 to know what everybody's position on that is.

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1 MS. OLEY: Well, my position is --  
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